

APR 20 2007

REMARKS

Claims 1-18 are pending in the present application. Claims 1, 3-6, and 8-11 are amended by this amendment. No new matter is added by the amendments, which find support throughout the specification and figures. In view of the amendments and the following remarks, reconsideration and allowance of the instant application are respectfully requested.

Applicants again note that the Examiner has not returned an initialed copy of PTO form 1449 for the IDS filed on April 25, 2002, and Applicants therefore again respectfully request such acknowledgement in the next communication from the Office. A courtesy copy of this IDS is enclosed with this paper.

Claims 1-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,454,652 to Miyamoto et al. (hereinafter Miyamoto). The Examiner also apparently rejects claims 3, 5, 8, and 10-13 under 35 U.S.C. §103(a) as being unpatentable over Miyamoto (Office Action; page 5, section 5). Applicants respectfully request clarification of the basis for the rejection of the claims in the next communication from the Office. Applicants respectfully traverse.

Claim 1 relates to a recording medium that includes a recorded program and data to be used in a program execution system including a program execution device that executes various programs, at least one operation device into which are inputted operation requests by a user as operation instructions to said program execution device. In the recording medium of claim 1, the recorded program has a direction maintenance step by which if, along with a motion of any character on said display device, based on an operation instruction about a character motion direction, a switching is made from a first scene to a second scene on said display device and said operation instruction is maintained, *the direction of motion of said character in said second scene*

is maintained in coordination with the direction of motion of the character on a map in said first scene at least immediately before the switching is made.

The Examiner cites Miyamoto at column 37, lines 35-42 and figure 23A as disclosing the feature of the amended claims that the direction of motion is maintained in a second scene as long as the operation instruction is maintained by a user. However, Applicants respectfully maintain that the cited sections apparently only discuss changing *a viewing perspective*, and do not discuss *the user operation* at all, and specifically do not disclose or suggest that *the user operation is maintained*. Miyamoto by way of the tower camera mode, depicted in Fig. 23A, appears to disclose two camera views that capture Mario as he moves from a first position to a second position. Miyamoto is silent as to whether an operation instruction which is continued and/or maintained after the camera change, i.e. view change, will continue the operation instruction after the scene changes. Therefore, for at least this reason, claim 1 is allowable.

Additionally, claim 1 has been amended to clarify the subject matter recited therein and expedite prosecution. In particular, the feature of direction maintenance is clearly disclosed in the claim. It is respectfully submitted that Miyamoto does not suggest or disclose the feature of a direction maintenance step, nor more particularly, that a direction of motion of said character in said second scene is maintained in coordination with the direction of motion of the character on a map in said first scene at least immediately before the switching is made, as recited in amended claim 1. Therefore, for at least this additional reason, claim 1 is allowable.

Claims 4, 6, and 9 recite features similar to those discussed above in regard to claim 1, and therefore each of these claims is allowable for at least the same reasons as claim 1 is allowable.

Claim 2, 14, and 15 depend from claim 1, claim 16 depends from claim 4, claims 7 and 17 depend from claim 6, and claim 18 depends from claim 9, and therefore these claims are allowable for at least the same reasons as their respective base claims are allowable.

Additionally, with respect to claim 14-18, the Examiner cites figure 11B as disclosing the feature of continuous character motion and/or maintaining direction of motion of a character as long as an operation instruction is maintained. However, figure 11B of Miyamoto gives no suggestion as to a user instruction, and merely shows a character's motion and a camera's motion. There is no indication of the user's operation instruction, nor any clear indication that the movement shown in figure 11B is continuous. The description of figure 11B in Miyamoto merely states:

FIG. 11B shows an animated object and the locus of the "camera" path (displayed point of view) which appears to be following the object. During such title and game ending demonstrations, the camera position is determined as a function of time. At a given time "N", as shown in FIG. 11B, the camera has an associated camera position angle and a displayed character has associated position and animation data. In demonstrations, such as during title screen processing, a player's random controller operations affects the apparent "camera" position. A player is able to move the camera up, down or in different directions.

There is no discussion in the above section as to a user's control of a character, nor any indication that a character's motion is continuous. Therefore, for at least these additional reasons claims 14-18 are allowable.

Claims 3, 5, 8, and 10-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Miyamoto. Applicants respectfully traverse.

Claim 3 relates to a recording medium comprising a program and data recorded thereon and which are to be used in a program execution system including a program execution device

that executes various programs. Amended claim 3 includes, *inter alia*, a first computation step which determines *at least position coordinates of a character in a scene on the display device* from a motion vector of the character based on an operation inputted by the user as seen from a first viewpoint. Amended claim 3 also includes a second computation step which *determines at least position coordinates of the character in the scene on the display device* from a motion vector of the character based on an operation inputted by the user as seen from a second viewpoint switched by the viewpoint switching step. In claim 3, *the second computation step determines at least position coordinates of the character in the scene after switching the viewpoint, as long as an operation is inputted by the user before switching the viewpoint, by using the motion vector of the character motion based on the operation.*

The Office Action admits that Miyamoto does not disclose the feature of the second computation step, but the Office Action argues that such a feature is inherent in Miyamoto. Applicants respectfully query whether the claims are rejected as obvious, implying that a modification is obvious and motivated, or whether the rejection is properly an anticipation rejection based on an inherent feature. Clarification of the rejection is therefore respectfully requested.

Applicants respectfully disagree with this conclusion of inherency, which requires that such a feature necessarily follows from a recited structure or process. Applicants submit that numerous other computation methodologies are possible in place of the second computation step recited in claim 3, which the Office Action asserts is inherent. In particular, it is possible, and Applicants submit common in the gaming world, to tie a character motion to a joystick input as shown in a *current* viewpoint shown *at the time* the joystick input is made. In contrast, Applicants claimed subject matter ties the movement caused in a character to a current joystick

input with respect to a *former* viewpoint. Therefore, Applicants submit that the test for inherency, that the feature necessarily follows from the recited structure, is not met in the current situation. Therefore, Applicants submit that claim 3 is allowable for at least this reason.

Additionally, the Examiner cites Miyamoto at column 37, lines 35-42 and figure 23A as disclosing the feature of the amended claims that the direction of motion is maintained in a second scene as long as the operation instruction is maintained by a user. Applicants respectfully maintain that the cited sections apparently only discuss changing *a viewing perspective*, and do not discuss *the user operation* at all, and specifically do not disclose or suggest that *the user operation is maintained*. Therefore, for at least this reason, claim 3 is allowable.

Furthermore, claim 3 has been amended to clarify the subject matter recited therein and expedite prosecution. In particular, the feature of direction maintenance is clearly disclosed in the claim. It is respectfully submitted that Miyamoto does not suggest or disclose the feature of a direction maintenance step, nor more particularly, that a direction of motion of said character in said second scene is maintained in coordination with the direction of motion of the character on a map in said first scene at least immediately before the switching is made, as recited in amended claim 3. Therefore, for at least this additional reason, claim 3 is allowable.

Claims 5, 8, 10, and 11 recite a feature similar to that discussed above in regard to claim 3 and are therefore allowable for at least the same reasons as claim 3 is allowable. Claim 12 depends from claim 11 and is therefore allowable for at least the same reasons as claim 11 is allowable.

Claim 13 relates to a program execution system in which, among other things, if an operation instruction is maintained during a switch from the first display device viewpoint to the second display device viewpoint, *the second motion vector governing movement of the*

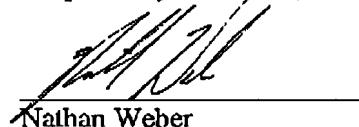
character in the second display device viewpoint is controlled in accordance with the first movement coordinate system, such that movement of the character is consistent between first and second display device viewpoints while the operation instruction is maintained during and immediately after the switch between the viewpoints.

The Examiner also asserts that this feature would be obvious asserting that "the position coordinates of Mario would be determined from the motion vector because Mario's position is dynamically computed and the motion vector (set by the joystick) would *help to determine* where Mario will be next, or where Mario will be when the movement of the joystick ceases" (Office Action; page 8, bottom; emphasis added). Applicants submit that, assuming *arguendo* the veracity of the Office Action's assertion, there is no indication that it is obvious, or inherent, to maintain the movement of a character in a second coordinate system based on an input with respect to a first coordinate system. It is respectfully submitted that Miyamoto does not disclose or suggest this feature, and therefore claim 13 is allowable over the reference.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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